

CHANCERY COURT OF TENNESSEE, ELEVENTH JUDICIAL DISTRICT, CHATTANOOGA, TENNESSEE			SCHEDULE OF FEES EFFECTIVE JANUARY 1, 2006 ¹		
Unless otherwise provided, fees are due/payable at time service is requested; in that event, no cost bond is required. 20-12-120, 401(a). FEES DO NOT INCLUDE LITIGATION TAXES OR OFFICERS' FEES. ² Pauper's oath is still available. ³					
1. C&M COMMISSIONS & FEES					
1.1 collections	1.1(a) receive/pay over fine/forfeiture/fee/amercement/tax, except litigation tax, see 1.1(b). 401(h)(1)			5%	
	1.1(b) receive/pay over litigation tax. 401(h)(3)			⁴ 6.7%	
1.2 sell property ⁵ /receive/collect/pay proceeds (C&M to collect sheriff fees). 401(i)(7)				⁶ 10%	
1.3 fee from earnings on invested funds 401(i)(10)				5%	
1.4 fees from idle funds 401(i)(8) ⁷				⁸ 100%	
1.5 Fees taxed to state remaining unchanged 401(1):		1.5(a) mental health proceeding	1.5(b) child support action	⁹ TBD	
2. EQUITY & TAX DIVISIONS					
2.1 abstract copy 401(i)(5)				5.00	
2.2 appeal	2.2(a) from lower court or administrative hearing 401(b)(1)(C)(i)			150.00	
	2.2(b) prepare a record on appeal to superior court 401(i)(11)			300.00	
2.3 catch all	2.3(a) special remedies 401(b)(1)(A) ¹⁰			225.00	
	2.3(b) action not otherwise specified 401(b)(1)(A) e.g., declaratory judgment (D/J/A)			225.00	
2.4 certification/seal 401(i)(5)				each 5.00	
2.5 citizenship restoration 401(b)(1)(D)				100.00	
2.6 civil rights 401(a)				225.00	
2.7 complaint	2.7(a) counter-complaint 401(b)(2)(B)			100.00	
	2.7(b) cross-complaint 401(b)(2)(B)			100.00	
	2.7(c) third party complaint: same fee as charged at initiation of proceeding. 401(b)(2)(A)			TBD	
2.8 computer fee (to be preserved for this purpose and not revert to general fund) 401(j) ¹¹				2.00	
2.9 continue/reset file on docket \$5 + a courtroom security enhancement fee of \$2.00 401(i)(3) ¹²				7.00	
2.10 contract	2.10(a) breach 401(b)(1)(A)			225.00	
	2.10(b) enforcement 401(b)(1)(A)			225.00	
2.11 copies (other than for an original filing and when preparing a record on appeal) 401(i)(4)				per page 0.50	
2.12 delinquent property taxes		2.12(a) file action 401(b)(1)(F)		per parcel 42.00	
		2.12(b) order for C&M to sell property 401(b)(1)(F)		per parcel 100.00	
2.13 domestic relations	2.13(a) adoption 401(b)(1)(D)			100.00	
	2.13(b) child support and custody	2.13(b)(1) civil contempt action 401(b)(1)(E)			75.00
		2.13(b)(2) enforcement/modification 401(b)(1)(E)			75.00
		2.13(b)(3) interstate support case 401(b)(1)(E)			75.00
		2.13(b)(4) request to modify parenting plan 401(b)(1)(E)			75.00
		2.13(b)(5) transfer of file from other county ¹³ 401(b)(1)(C)(ii)			150.00
	2.13(c) divorce	2.13(c)(1) divorce with minor children 401(b)(1)(B)			225.00
		2.13(c)(2) divorce with no minor children 401(b)(1)(B)			150.00
	2.13(d) legitimation and enter orders 401(b)(1)(D)			100.00	
	2.13(e) paternity 401(b)(1)(D)			100.00	
	2.13(f) protection order 401(b)(1)(D) Up front payment is not required.			100.00	
	2.13(g) termination of parental rights 401(b)(1)(D)			100.00	
	2.13(h) matter not otherwise designated 401(b)(1)(D)			100.00	
2.14 employment discrimination 401(b)(1)(A)				225.00	
2.15 expungement 401(b)(1)(D)				100.00	
2.16 extraordinary Fee (10+ plaintiffs/defendants.) 401(k)				¹⁴ TBD	
2.17 injunction 401(b)(1)(A)				225.00	
2.18 issue subpoena/subpoena duces tecum 401(i)(2)				each 6.00	
2.19 mail; certified/registered 401(i)(12)				actual	
2.20 minor settlement 401(b)(1)(D)				100.00	
2.21 name change/correct birth certificate and enter orders 401(b)(1)(D)				100.00	
2.22 foreign judgment; enforce 401(b)(1)(D)				100.00	
2.23 post judgment fee 401(i)(1) ¹⁵				per occurrence 25.00	
2.24 property	2.24(a) complaint for abandoned mineral interest 66-5-108(e)(8) ¹⁶			+ publication 30.00	
	2.24(b) condemnation/inverse condemnation 401(b)(1)(C)(v)			150.00	
	2.24(c) damage 401(b)(1)(A)			225.00	
	2.24(d) disputes 401(b)(1)(A)			225.00	
	2.24(e) order for C&M to sell property 401(b)(1)(F)			per parcel 100.00	

2.25	quo warranto ¹⁷ 401(b)(1)(C)(vi)	150.00
2.26	receive funds pursuant to order, ¹⁸ and collect/pay out the proceeds 401(i)(6)	40.00
2.27	tax dispute 401(b)(1)(A)	225.00
2.28	torts; all torts including malpractice, personal injury, and wrongful death 401(b)(1)(A)	225.00
2.29	writs	
	2.29(a) certiorari from lower courts or administrative hearings 401(b)(1)(C)(i)	150.00
	2.29(b) for writ of mandamus 401(b)(1)(C)(iii)	150.00
2.30	workers' compensation 401(b)(1)(C)(iv)	150.00
3. PROBATE & GUARDIAN DIVISIONS		
3.1	accounting; file/review/record annual/interim/enter order approving settlement only 401(c)(10)	40.00
3.2	abstract; provide copy 401(i)(5)	5.00
3.3	appeal; prepare a record to superior court 401(i)(11)	300.00
3.4	catch All	
	3.4(a) action not otherwise designated in this section or elsewhere by law 401(b)(1)(A)	225.00
	3.4(b) document not otherwise provided for 401(c)(9) E.g.: Master's Reports, motions, 5-day rule orders	7.00
	3.4(c) file/docket petition (other than closing petition) on existing file not otherwise provided for 401(c)(6)	18.00
3.5	certification/seal 401(i)(5) each	5.00
3.6	claims	
	3.6(a) file/docket claim/give notice/file release, (to be paid by claimant) 401(c)(1)(A)	11.00
	3.6(b) file/docket exception/mail notices/enter order 401(c)(1)(B)	42.00
3.7	computer fee (preserved for this purpose and not revert to general fund) 401(j) ¹⁹	2.00
3.8	continue/reset file on docket \$5 + courtroom security enhancement fee \$2.00 401(i)(3) ²⁰	7.00
3.9	copies (other than for an original filing and when preparing a record on appeal) 401(i)(4) per page	0.50
3.10	estate (except a small estate, see 3.19) 401(c)(1)	225.00
3.11	extraordinary fee (10+ plaintiffs/defendants) 401(k)	²¹ Court
3.12	guardian	
	3.12(a) letters/issue initial process/cost bond/enter order/issue letters (not including sheriff fees), include final accounting and order closing (regardless of court where filed) 401(c)(3)	160.00
	3.12(b) remove guardianship disability/file affidavit/enter orders 401(c)(4)	100.00
	3.12(c) mental health/issue notices/enter return/enter judgments (not including sheriff fees) 401(c)(5)	50.00
	3.12(d) habeas corpus/file cost bond/issue process/enter orders (not including sheriff fees) 401(c)(4)	100.00
3.13	issue; summons/subpoena/citation/writ/notice/process (other than initial process) 401(c)(8)	6.00
3.14	legitimation/enter orders 401(c)(4)	100.00
3.15	mail; certified/registered 401(i)(12)	actual
3.16	name change/correct birth certificate/enter orders 401(b)(1)(D)	100.00
3.17	order (other than a closing order) on existing file not otherwise specified 401(c)(7)	12.00
3.18	receive funds ²² pursuant to order, and collect/pay out proceeds 401(i)(6)	40.00
3.19	small estate affidavit 401(c)(2)	36.00

¹ Public Acts 2005, Ch. 429, effective 1 January 2006. This schedule also contains some fees that are otherwise required.

² Sheriffs' and constables' fees as provided in § 8-21-901 and elsewhere.

³ Where payment of fees would create substantial hardship, judges are encouraged to use discretion provided in TRSC 29 to find indigency even if the party does not meet the Legal Services Corporation's poverty guidelines. 8-21-401(a).

⁴ Total commissions receivable by C&M for any fiscal year shall not be less than those received by C&M during the fiscal year ending June 30, 2005; provided, that if the statewide litigation tax collected during such fiscal year is less than the amount collected during the fiscal year ending June 30, 2005, then the commissions receivable by C&M for that fiscal year shall be reduced by a percentage equal to the percentage reduction in statewide litigation tax collections for that fiscal year.

⁵ Real and personal property. C&M to collect sheriff fees, + sheriff fee for each additional defendant.

⁶ Commission of 10% up to \$6,000.00 plus any additional amount the Court may order. Court can authorize more than \$6,000.00 if the amount is no more than 10% of the sale price.

⁷ Idle funds may be invested in a bank provided deposits are insured by FDIC or FSLIC. Investment must not exceed insured amount unless covered by a written collateral agreement. C&M is authorized to invest in the local government investment pool administered by the state treasurer.

⁸ Interest on such investment becomes part of the fees of C&M who is required to account for interest received the same as with other fees received. Nothing herein is construed to relieve C&M from responsibility of investing funds held pursuant to order or under rules. Interest on those investments accrue to the benefit of those directed by the Court or by agreement of the parties to the litigation.

⁹ Fees are limited to those chargeable prior to 01/01/06.

¹⁰ E.g., coercive remedies (such as injunctions), declaratory remedies (such as specific performance, rescission and reformation), and restitution remedies (such as assumpsit and quantum meruit).

¹¹ This fee is already calculated into the base filing fee.

¹² The revenues from this \$2.00 fee shall be deposited into the county general fund. All revenue from this fee shall be used exclusively for the purposes of providing security and enhancing the security of court facilities in the county.

¹³ We must file any request for transfer and carry out the requirements of this part, even without receiving the appropriate fee for such request. If not paid, such sum shall be added to the cost bill to be assessed by the transferee court.

¹⁴ Court, on its own or by motion (*sua sponte*), may set cost bond and excess costs for services demanded.

¹⁵ This fee is charged regardless of whether judgment is enforced by garnishment, execution, levy or other process. This fee also applies to post judgment interrogatories, publications, motions to set installment payments and orders and pleas.

¹⁶ This statute provision was not changed by Public Acts 2005, Ch. 429.

¹⁷ Civil remedy to prevent a continued exercise of authority unlawfully asserted; usually employed for trying the title to a corporate or other franchise, or to a public or corporate office.

¹⁸ These are funds paid into court on confirmation of private sales or other funds. This fee also applies where there is a pre-judgment judicial attachment or similar process to bring property into the court's possession prior to judgment

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